REMARKS / ARGUMENTS

Claims 1-17 remain in the application, all of which stand rejected.

Claim 1 has been amended to clarify that the recited method is executed by a machine. This amendment does not add new matter, and support for this amendment can be found, at least, in paragraph [0025].

Claims 2 and 14 have been amended to fix an antecedent basis problem. The amendments to these claims do not add new matter.

1. Claim Rejections – 35 U.S.C. 102(b)

Claims 1-5 stand rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 4,727,312 of Fulks.

Claim 1 recites:

1.   A machine-executable method comprising:
          reading a test file having a plurality of test vectors;
          determining a required memory needed to execute the
plurality of test vectors; and
          using the required memory to estimate a cost to execute the
test vectors.

With respect to claim 1, the Examiner asserts:

. . .Fulks discloses a method comprising: reading a test file having a plurality of test vectors: determining a required memory needed to execute the plurality of test vectors; and using the required memory to estimate a cost to execute the test vectors (col. 1, 16-19; *The required memory needed to execute the plurality of test vectors is declared to be large, and thus expensive. Thus, the required memory was determined and used to estimate a cost to execute the test vectors. Said test vectors are stored in a test program, or test file.*).

12/14/2005 Office Action, p. 2.

Applicants disagree. In col. 1, lines 16-19, Fulks states, "[b]ecause each vector has a large number of components, and because the number of vectors is large, the memory needed to store a test program in a tester is expensive." This is merely a general statement of fact that memory is expensive. This fact does not dictate nor suggest a need to *estimate* a cost to execute a plurality of test vectors. For example, instead of estimating the cost to execute a plurality of test vectors, a plurality of vectors could simply be executed, and the cost of executing the vectors could then be determined post-execution, if at all.

It is further noted that claim 1 recites, in part, determining a required memory needed **to execute** the plurality of test vectors; and then using the required memory to estimate a cost **to execute** the test vectors." In contrast, Fulks recites, "[b]ecause each vector has a large number of components, and because the number of vectors is large, the memory needed **to store** a test program in a tester is expensive." *See*, Fulks, col. 1, lines 16-19. Assuming, *arguendo*, that Fulks teaches that the cost "to store a test program" should be estimated (which it does not), Fulks still fails to teach "using the required memory to estimate a cost **to execute** the test vectors, as is recited in applicants' claim 1.

Applicants' claim 1 is believed to be allowable for at least the above reasons. Applicants' claims 2-5 are believed to be allowable, at least, because each depends from claim 1.

2. Claim Rejections – 35 U.S.C. 103(a)

Claims 6 and 7 stand rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 4,727,312 of Fulks, in view of US Patent No. 4,493,079 of Hughes.

Applicants' claims 6 and 7 are believed to be allowable at least for the reason that each depends from applicants' claim 1, and because Hughes does not disclose that which applicants have argued is missing from Fulks.

3. Claim Rejections – 35 U.S.C. 103(a)

Claims 8-16 stand rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 4,727,312 of Fulks, in view of US Patent No. 5,249,120 to Foley.

Applicants' claims 8-16 are believed to be allowable, at least, for reasons similar to why applicants' claim 1 is believed to be allowable, and because Foley does not disclose that which applicants have argued is missing from Fulks.

4. Claim Rejection – 35 U.S.C. 103(a)

Claim 17 stands rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 4,727,312 to Fulks, in view of US Patent No. 5,249,120 to Foley, and in further view of US Patent No. 4,493,079 of Hughes.

Applicants' claim 17 is believed to be allowable, at least, for reasons similar to why applicants' claim 1 is believed to be allowable, and because Foley and Hughes do not disclose that which applicants have argued is missing from Fullks.

5. Conclusion

Given the above Amendments and Remarks, applicants respectfully request the issuance of a Notice of Allowance.

Respectfully submitted,
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